IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: SUBOXONE (BUPRENORPHINE : MDL NO. 2445 HYDROCHLORIDE AND NALAXONE) : 13-MD-2445

ANTITRUST LITIGATION

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THIS DOCUMENT APPLIES TO: ALL ACTIONS

PRETRIAL ORDER NO. 2

AND NOW, this 7th day of August, 2013, upon consideration of the joint proposed case management order submitted by the parties pursuant to Pretrial Order No. 1 (Doc. No. 7), and after an initial status conference held on August 1, 2013, it is hereby **ORDERED** as follows:

1. **LIAISON COUNSEL.** The Court designates the following firms as Liaison Counsel:

Parties	Firm Designated as Liaison Counsel
Direct Purchaser Class Plaintiffs ¹	GARWIN GERSTEIN & FISHER LLP Bruce E. Gerstein Joseph Opper 1501 Broadway, Suite 1416 New York, New York 10036 Tel: (212) 398-0055

¹ The Direct Purchaser Class Plaintiffs are: Burlington Drug Company, Inc.; Rochester Drug Co-operative, Inc.; Meijer, Inc.; and Meijer Distribution, Inc.

Indirect Purchaser Plaintiffs ²	SPECTOR ROSEMAN KODROFF & WILLIS, P.C. Jeffrey L. Kodroff John Macoretta 1818 Market Street, Suite 2500 Philadelphia, PA 19103 Tel: (215) 496-0300
Defendants ³	JONES DAY Kevin D. McDonald 51 Louisiana Avenue, N.W. Washington, D.C. 20001 Tel: (202) 879-3939
	Thomas Demitrack 901 Lakeside Avenue Cleveland, OH 44114 Tel: (216) 586-3939

2. **PLAINTIFFS' INTERIM CO-LEAD COUNSEL.** The Court designates the following firms to act as Interim Co-Lead Counsel to the respective group of plaintiffs:

Plaintiff Group	Firm(s) Designated as Co-Lead Counsel
	GARWIN GERSTEIN & FISHER LLP
	Bruce E. Gerstein
Direct Purchaser Class Plaintiffs	Joseph Opper
	1501 Broadway, Suite 1416
(continued on next page)	New York, New York 10036
	Tel: (212) 398-0055

² The Indirect Purchaser Class Plaintiffs are: United Food and Commercial Workers Health and Welfare Fund of Northeastern Pennsylvania; Painters District Council No. 30 Health and Welfare Fund; Teamsters Health Services and Insurance Plan Local 404; Meridian Plan of Michigan, Inc.; Michigan Regional Council of Carpenters Employee Benefits Fund; I.B.E.W. 292 Health Care Plan; New York Hotel Trades Council & Hotel Assoc. of New York City Inc. Health Benefits Fund; A.F. of L. - A.G.C. Building Trades Welfare Plan; and Construction &

General Laborers' Local 190 Welfare Fund.

³ The Defendants are Reckitt Benckiser Pharmaceuticals, Inc.; Reckitt Benckiser LLC; Reckitt Benckiser, Inc.; Reckitt Benckiser Healthcare (UK) Ltd.; and Reckitt Benckiser Group plc.

	FARUQI & FARUQI LLP
	Peter R. Kohn
	Joseph T. Lukens
	101 Greenwood Ave., Suite 600
	Jenkintown, PA 19046
	Tel: (215) 277-5770
	HAGENS BERMAN SOBOL SHAPIRO LLP
Direct Purchaser Class Plaintiffs	Thomas M. Sobol
Direct I dichaser Class I lanting	Kristen Johnson Parker
	55 Cambridge Parkway, Suite 301
	Cambridge, MA 02142
	Tel: (617) 482-3700
	HILLIARD & SHADOWEN LLC
	Steve D. Shadowen
	39 West Main Street
	Mechanicsburg, PA 17055
	Tel: (855) 344-3298
	1411 (666) 6 11 625 6
	WEXLER WALLACE LLP
	Kenneth A. Wexler
	55 West Monroe, Suite 3300
	Chicago, IL 60603
Indirect Purchaser Class Plaintiffs	Tel: (312) 346-2222
	(, 5
	MOTLEY RICE LLC
	Michael M. Buchman
	275 Seventh Avenue, 2 nd Floor
	New York, NY 10001
	MILLER LAW LLC
	Marvin A. Miller
	115 South LaSalle Street
	Chicago, IL 60603
	Tel: (312) 332-3400

3. **AUTHORITY OF INTERIM CO-LEAD COUNSEL.** Interim Co-Lead counsel, working together in a coordinated fashion, shall have sole authority over the following matters concerning the respective group of plaintiffs they represent: (a) convening meetings of counsel; (b) initiation, response, scheduling, briefing, and argument of all motions; (c) the scope, order and conduct of all discovery proceedings; (d) making such work assignments among

themselves and other counsel as they may deem appropriate; (e) collection of time and expense reports from counsel on a periodic basis; (f) the retention of experts; (g) designation of which attorneys shall appear at the hearings and conferences with the Court; (h) the timing and substance of any settlement negotiations with Defendants; (i) the allocation of fees, if any are awarded by the Court; and (j) communicating and entering into agreements with Defendants' counsel, which shall be binding on behalf of all plaintiffs in the applicable group of plaintiffs.

- 4. INTERIM INDIRECT PURCHASER PLAINTIFFS' EXECUTIVE COMMITTEE. In order to ensure that the views of counsel for plaintiffs in all of the Indirect Purchaser cases are considered, the following are appointed to the Interim Indirect Purchaser Plaintiffs' Executive Committee: (a) Joseph P. Guglielmo of Scott + Scott Attorneys at Law LLP; (b) Natalie Finkelman of Shepherd, Finkelman, Miller & Shah, LLP; (c) Renae D. Steiner of Heins Mills & Olson, P.L.C.; (d) Kevin P. Roddy of Wilentz, Goldman & Spitzer, P.A.; (e) Paul F. Novak of Milberg LLP; (f) J. Douglas Richards of Cohen Milstein; (g) James R. Dugan, II of Dugan Law Firm APLC; (h) Frank Schirripa of Hach Rose Schirripa & Cheverie, LLP; and (i) Anne T. Regan of Zimmerman Reed. In consultation with and at the direction of Interim Co-Lead Counsel for the Indirect Purchaser Plaintiffs, the Interim Indirect Purchaser Plaintiffs' Executive Committee shall advise Co-Lead Counsel and participate in the prosecution of the Indirect Purchaser class actions.
- 5. **TIME KEEPING.** All counsel for plaintiffs shall keep contemporaneous time records and shall periodically submit summaries or other records and expenses to Interim Co-Lead Counsel or their designees.

6. SCHEDULE FOR AMENDMENT OF PLEADINGS, LIMITED DISCOVERY AND MOTIONS TO DISMISS.

- a. On or before **August 15, 2013**, Plaintiffs shall file their consolidated amended complaints.
- b. On or before **August 22, 2013**, Plaintiffs shall submit correspondence to the Court regarding their request for limited discovery, as discussed at the initial status conference.
- c. On or before **August 29, 2013**, Defendants may submit a response to Plaintiffs' limited discovery request.
- d. On or before **September 16, 2013**, Defendants shall file a single motion to dismiss each consolidated amended complaint.
- e. On or before **October 15, 2013**, Plaintiffs shall file their responses in opposition to each motion to dismiss.
- f. On or before **November 15, 2013**, Defendants may file replies in support of each motion to dismiss.
 - g. All further deadlines shall be set upon disposition of the above motions.

7. MISCELLANEOUS.

- a. The requirement in Local Rule 23.1(c) that plaintiffs move for class certification within 90 days of filing the Complaint is suspended;
- b. The page limits for memoranda of law supporting or opposing motions under Federal Rule of Civil Procedure 12 are extended to 40 pages for opening and opposition memoranda, and 25 pages for reply memoranda.
- 8. **SERVICE OF PAPERS.** So long as it is unredacted and unsealed, service of any filing with the Court via ECF shall be deemed served upon all counsel in the Consolidated

Direct Purchaser Class Action upon ECF filing. In that event, no further action is necessary to effectuate service. For all other papers, service shall be effective if made by courier, overnight mail and/or email upon at least each of the following:

If to Direct Purchaser Plaintiffs:

Peter R. Kohn (pkohn@faruqilaw.com)
FARUQI & FARUQI LLP
101 Greenwood Ave., Suite 600
Jenkintown, PA 19046

Bruce E. Gerstein (bgerstein@garwingerstein.com)
Joseph Opper (jopper@garwingerstein.com)
Kimberly Hennings (khennings@garwingerstein.com)
GARWIN GERSTEIN & FISHER LLP
1501 Broadway, Suite 1416
New York, New York 10036

Thomas M. Sobol (tom@hbsslaw.com)
HAGENS BERMAN SOBOL & SHAPIRO LLP
55 Cambridge Parkway, Suite 301
Cambridge, MA 02142

If to Indirect Purchaser Plaintiffs:

Jeffrey L. Kodroff (jkodroff@srkw-law.com)
SPECTOR ROSEMAN KODROFF & WILLIS, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103

Steve D. Shadowen (steve@hillardshadowenlaw.com)
HILLARD SHADOWEN LLC
39 West Main Street
Mechanicsburg, PA 17055

Kenneth A. Wexler (kaw@wexlerwallace.com)
WEXLER WALLACE LLP
55 West Monroe Street, Suite 3300
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275 Seventh Avenue, 2nd Floor

New York, NY 10001

Marvin A. Miller (mmiller@millerlawllc.com)
MILLER LAW LLC
15 South LaSalle Street
Chicago, IL 60603

If to Defendants:

Kevin D. McDonald (suboxone@jonesday.com)

JONES DAY
51 Louisiana Avenue, N.W.

Washington, D.C. 20001

Thomas Demitrack (suboxone@jonesday.com)

JONES DAY

901 Lakeside Avenue

Cleveland, OH 44114

It shall be the responsibility of counsel listed in this paragraph to provide the remaining counsel for their respective group of parties with papers served upon them.

BY THE COURT:
/s/ Mitchell S. Goldberg
Mitchell S. Goldberg, J.